

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEO SUNIAGA, et al.

v.

**DOWNINGTOWN AREA
SCHOOL DISTRICT, et al.**

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**CIVIL ACTION
No. 20-2283**

ORDER

This 5th day of February, 2025, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** as follows:

1. Plaintiff's Motion to Amend/Correct (ECF 139) is **GRANTED**, and the amended response deemed part of the record.
2. The School District Defendants' Motion for Summary Judgment (ECF 130) is **GRANTED in part** and **DENIED in part**.
 - a. The Motion is **GRANTED** with respect to Counts I and II (Section 1983 Procedural Due Process claims).
 - b. The Motion is **GRANTED** as to the Count III claim of Conspiracy to deny constitutional rights, but **DENIED** with respect to Conspiracy to violate state law.
 - c. The Motion is **DENIED** with respect to Counts IV (Defamation), VI (Tortious Interference), and VII (False Light).
3. Defendant Rebecca German's Motion for Summary Judgment (ECF 131) is **GRANTED in part** and **DENIED in part**.
 - a. The Motion is **GRANTED** with respect to Counts V (IIED) and VII (False Light).

- b. The Motion is **DENIED** with respect to Counts IV (Defamation) and VI (Tortious Interference).¹

/s/ Gerald Austin McHugh
United States District Judge

¹ Because several of Plaintiff's claims will proceed, Jacquelyn Suniaga's loss of consortium claim (Count VIII) shall also proceed.